

Appl. No. 09/750,862
Am dt Dated April 2, 2005
Reply to Office Action of February 22, 2005

REMARKS

Claims 1, 8, 9, 17, 18 and 20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lai US Patent No. 5,509,465 in view of Frisch et al. US Patent No. 2,737,370. Claims 4, 5, 7, 12-14 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lai US Patent No. 5,509,465. Claims 6 and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lai US Patent No. 5,509,465 in view of Tanahashi et al. US Patent No. 6,189,602. Claim 11 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Lai US Patent No. 5,509,465 in view of Nelson US Patent No. 5,339,214.

Regarding claim 1, the present invention is essentially different from Lai. The rod member 6 in Lai is securing means for stacking the fins 5 together and attaching a fan 8 to the fins 5 (referring to FIG. 6). Lai does not disclose or suggest the rod member be a duct for heat dispersion. In addition, as Examiner states, Lai does not disclose a slot being defined in the connecting tab of each of the fins and receiving an end of the connecting tab of an adjacent one of the fins, thereby the connecting tab firmly abutting against the duct, the duct in thermal contact with the connecting tabs. That is, the combining structure of the duct and the fins in the present invention is distinguished from that of Lai. There is no clue in Lai for one skilled in the art to develop the present invention.

It is hindsight to think that Lai is combined with Frisch et al. to develop the present invention. Since the rod member 6 in Lai works only as securing means, the combining structure of the rod member 6 and the fins 5 need not adopt that of Frisch et al. In Frisch et al., the extended surface members 17 is combined with

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the tubular members 16 in thermal contact. That is, it is impossible for one skilled in the art to combine Lai with Frisch et al. to develop the present invention at the time the invention was made.

Furthermore, even one skilled in the art combines Frisch et al. with Lai, the present invention can not be developed. The slot 27 in Frisch et al. is different from the slot of the present invention. In the present invention, the slot is defined in the connecting tab of each of the fins and receives an end of the connecting tab of an adjacent one of the fins. In Frisch et al., the slot 27 provides space into which the expanding metal can be forced during welding (column 2, line 12). Apparently, even the slot 27 in Frisch et al. is applied to Lai, the present invention can not be developed. The present invention claimed in claim 1 is patentable over Liu, even in view of Frisch et al.

Therefore, claim 1 is patentable and should be allowable. Claims 4-10 and 20 should also be allowable as dependent claims of claim 1.

Regarding claim 11, since what Lai discloses is a rod member for stacking the fins 5 together and attaching a fan 8 to the fins 5 (referring to FIG. 6). Lai does not need to have a heat pipe connected with the rod member. Nowhere in Lai discloses/suggests the rod member will and should be replaced by the duct to receive one end of the exterior heat pipe. That is, one skilled in the art would not combine the heat pipe in Nelson with the rod member in Lai. On the other hand, *via teaching of the instant application*, it is still required for the skilled one to further replace/re-modify the rod member of the *hypothetical* combination of Lin and Nelson with the duct for obtaining the workable claimed invention. Thus, it is improper to reject the present invention in claim 11 based on Lai and Nelson.

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Claim 11 should be allowable. Since claims 12-19 depend from claim 11, they should be allowable also.

In view of the foregoing, the subject application as claimed in the pending claims is in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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